CONFERENCE ON DISARMAMENT

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NOTE VERBALE DATED 16 SEPTEMBER 1999 FROM THE PERMANENT MISSION OF THE REPUBLIC OF KAZAKHSTAN ADDRESSED TO THE SECRETARIAT OF THE CONFERENCE ON DISARMAMENT TRANSMITTING THE TEXT OF THE DECLARATION ON THE PRINCIPLES GUIDING RELATIONS AMONG MEMBER STATES OF THE CONFERENCE ON INTERACTION AND CONFIDENCE-BUILDING MEASURES IN ASIA

The Permanent Mission of the Republic of Kazakhstan to the United Nations Office and other International Organizations in Geneva presents its compliment to the Secretariat of the Conference on Disarmament and has the honour to transmit the text of the Declaration on the Principles Guiding Relations Among Member States of the Conference on Interaction and Confidence-Building Measures in Asia and kindly requests to distribute it among States Members and Observers of the CD as an official document.

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DECLARATION
ON THE PRINCIPLES GUIDING RELATIONS AMONG THE CICA MEMBER STATES

The Member States of the Conference on Interaction and Confidence-Building Measures in Asia,

Reaffirming their commitment to the purposes and principles of the United Nations Charter;

Considering the growing desire of their peoples to live in an atmosphere of peace, friendship, understanding, good neighbourliness and cooperation;

Reaffirming their objective of promoting better relations among themselves and ensuring conditions in which their peoples can live in true and lasting peace free from any threat to their security;

Emphasizing the importance of conducting inter-state relations on the basis of the principle of sovereign equality as well as the UN Charter and international law;

Recognizing that the international legal basis of the CICA activity is the UN Charter and international law;

Respecting bilateral and multilateral agreements which are in conformity with principles and purposes of the UN Charter and norms of international law;

Considering that the better understanding and closer relations among them in all fields in conformity with the purposes and principles of the UN Charter and the five principles of peaceful coexistence would be beneficial for the strengthening of peace, stability and security in Asia;

Giving due attention to the prevention of disputes and conflicts and to their peaceful settlement;

Reaffirming that the diversity of national characteristics, traditions, cultures and values of the Asian States is not a divisive but a valuable mutually enriching factor of their relations;

Emphasizing the importance of tolerance in international relations and the significant role of dialogue as a means to reach understanding, remove threats to peace and strengthen interaction and exchange among civilizations;

Also reaffirming their determination to explore, fully taking into account the individuality and diversity of their positions and views, the possibilities of combining their efforts to enhance confidence and cooperation in the interests of stability, economic and social development in their region and the whole world;

Recognizing the importance of indivisibility of security in Asia and expressing their resolve to intensify joint efforts in this direction with a view to oppose the challenges and threats to peace, security and stability in Asia;

Emphasizing the importance of confidence-building measures which contribute to safeguarding peace and enhancing security;

Recognizing the close link between peace, security and development in Asia and in the world as a whole and conscious of the need for each Member State to make its contribution to the strengthening of world peace and security and to the promotion of fundamental rights, economic and social progress and the well-being of all peoples;

Realizing their responsibility for a peaceful and prosperous future of their peoples;

Reaffirming their commitment to achieve full, just and lasting relations of peace, openness, mutual confidence, security, stability and cooperation in Asia by eliminating tensions, seeking peaceful settlement of disputes;

Recognizing the importance of the global elimination of all weapons of mass destruction, and addressing effectively the destabilizing accumulation of conventional arms, as a means towards achieving comprehensive, lasting and stable peace in Asia;

Welcoming initiatives and arrangements aimed at strengthening peace, stability, security and cooperation in Asia;

Declare their determination to respect and put into practice in their relations with each other, irrespective of their political, economic or social systems as well as of their size, geographical location and level of economic development, the following principles, which are of fundamental significance and shall guide their relations:

I. Sovereign equality, respect for rights inherent in sovereignty

The Member States shall respect each other's sovereign equality and individuality as well as all the rights inherent in and encompassed by its sovereignty, including in particular the right of every State to juridical equality, territorial integrity, freedom and political independence. They shall also respect each other's right to freely choose and develop its political, social, economic and cultural systems as well as its right to determine its laws and administrative regulations.

According to the framework of international law and in the spirit of this Declaration, all the Member States have equal rights and duties. They shall respect each other's right to define and conduct as it wishes its relations with other States, international and regional organizations, as well as the right to neutrality. The Member States shall build thus their relations on the basis of mutual benefit and respect.

II. Refraining from the threat or use of force.

The Member States shall refrain in their relations from the direct or indirect threat or use of force against the sovereignty, territorial integrity and political independence of the states, or any other manner inconsistent with the Charter of the United Nations and with the present Declaration. No considerations may be invoked to warrant resort to the threat or use of force in contravention of this principle.

No such threat or use of force will be employed as a means of settling disputes, or questions likely to give rise to disputes, between them.

Nonetheless, in case of any aggression and violation of the sovereignty, territorial integrity and political independence of a member State, the country which is subject to the aggression, preserves its right to individual and collective self-defence in accordance with the Charter of the United Nations and international law.

III. Territorial integrity of the Member States.

The Member States shall respect the territorial integrity of each other. They recognize the inviolability of state boundaries and therefore they shall refrain at present and in the future from any attempt to violate these boundaries.

The Member States shall likewise refrain from making each other's territory the object of military occupation or other direct or indirect use of force in contravention of international law, or an object of acquisition by means of such measures or the threat of their implementation. No such occupation or acquisition will be recognized as legitimate.

IV. Peaceful settlement of disputes.

The Member States reaffirm their commitment to uphold and defend the principles of the UN Charter and international law as well as the means envisaged in the UN Charter for the peaceful settlement of disputes.

Parties to any dispute shall immediately establish a contact and negotiate to prevent the outbreak of a conflict and to settle the dispute in accordance with the principles enshrined in this Declaration as well as in the UN Charter and international law. The Member States parties to a dispute as well as the other Member States shall refrain from any actions which might aggravate the situation.

V. Non-intervention in internal affairs.

The Member States shall refrain from any intervention in the internal affairs of another member State.

They shall accordingly refrain from any form of armed intervention or the threat of such an intervention against another member State.

They shall likewise in all circumstances refrain from any act of military or political, economic, or any other form of interference as means of resolving political problems between them, or directed to subordinate to their own interests the exercise by another member State of the rights inherent in its sovereignty and thus to secure advantages of any kind.

Accordingly, the Member States shall refrain from direct or indirect assistance to terrorist activities in all its forms, subversive or other activities directed towards overthrowing the state system of another member State or undermining sovereignty and territorial integrity of other Member States.

They reiterate their determination to promote international and regional cooperation to counter and eradicate all sources of terrorism. In this respect they emphasize the importance of participation of all the states in this cooperation.

The Member States shall not support on the territory of another member State any separatist movements and entities, and, if such emerge, not to establish political, economic and other kinds of relations with them, not to allow the territories and communications of the Member States to be used by the above-mentioned movements and entities, and not to render them any kind of economic, financial and other assistance. They reaffirm the right of people living under foreign occupation for self-determination in accordance with the UN Charter and international law.

VI. Disarmament and Arms Control

The Member States emphasize that enhancement of security in Asia should be achieved through cooperation of all states in the interest of peace, stability and prosperity

in conformity with purposes and principles of the UN Charter. A comprehensive, non-discriminatory and balanced approach towards international security should be adopted.

The Member States reaffirm their commitment to the goal of achieving general and complete disarmament under effective control.

They recognize that disarmament, arms control and confidence building measures are essential in achieving the goal of strengthening peace, security and stability in Asia and the whole world. They, therefore, shall endeavour to develop appropriate measures in these fields.

The Member States pledge to support the efforts for the global elimination of all weapons of mass destruction and therefore they commit themselves to an increased cooperation for the prevention of proliferation of all such weapons, including nuclear weapons, which constitute a particular danger to international peace and security. The Member States also emphasize the need to achieve a nuclear weapons free world at an early date.

They support the establishment of zones free of nuclear weapons and other mass destruction weapons in Asia on the basis of arrangements freely arrived at among the states of the region concerned in conformity with the provisions of the Final Document of SSOD-1.

The Member States reaffirm their belief in the need of ensuring security at the lowest level of armament and military forces. They recognize the necessity to curb excessive and destabilizing accumulation of conventional armaments.

The Member States emphasize that any bilateral or multilateral military arrangements should not be directed at any third party nor should they undermine or pose threats to security of other states.

VII. Economic, social and cultural cooperation

The Member States shall enhance the process of political consultations and develop cooperation based on mutual interests in the economic, social, humanitarian, environmental, information, scientific and cultural spheres with each member State making its contribution under conditions of full equality.

The Member States affirm the inalienable right of all states to develop, achieve and make use of science and technology for peaceful purposes aimed at progress in economic, social and cultural fields.

The Member States stress that trade and economic cooperation on an equal, mutually beneficial and non-discriminatory basis constitutes an essential element of their relations and is a means of the construction of prosperous Asia. They shall endeavour to elaborate appropriate measures and policies to promote trade and economic cooperation, including, based on bilateral or multilateral agreements, providing necessary transit, transport and communication facilities and contacts with regional economic organizations. They emphasize the importance of the realization of economic and cultural rights as well as the right to development.

The Member States emphasize the need for enhancement of the cooperation in social fields such as fighting drug trafficking, drug abuse and organized crime; solution of refugee problems, health care and disaster relief.

The Member States recognize the uniqueness and the diversity of the cultures of Asian peoples and the contribution they can make to overcoming past differences. They emphasize their determination to strive for the triumph of freedom and for the protection and promotion of their cultural and spiritual heritage in all its richness and diversity. They shall make special efforts to promote better mutual understanding and to enhance cultural exchanges and cooperation in the fields of education and tourism.

The Member States shall pay attention to the creation of material, legal, political, economic and other guarantees which will facilitate conditions for peace, harmony, mutual understanding and stability in the geographical space of the CICA.

VIII. Human rights and fundamental freedoms.

The Member States, being committed to act in conformity with the purposes and principles of the Charter of the United Nations, reaffirm in this context their commitments to respect human rights and fundamental freedoms of all individuals irrespective of their race, sex, and religion. They believe that respect, protection and promotion of human rights and fundamental freedoms contribute to political and social stability and peace, to the enrichment of the cultural and spiritual heritage of the society as a whole and to the mutual understanding and friendly relations between their peoples.

The Member States attach great importance to the principle of indivisibility of all human rights and in this context emphasize the significance of the realization of all aspects of this principle.

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The Member States emphasize that in the process of the further elaboration of their positions the present Declaration may be complemented with new principles of international cooperation corresponding to the purposes and principles of the UN Charter.